

NOT FOR PUBLICATIONUNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MATTHEW TUCKER,	:	
	:	Civil Action No. 01-4414 (WHW)
Petitioner,	:	
	:	
v.	:	
	:	
ANN KLEIN FORENSIC	:	
CENTER HOSPITAL, et al.,	:	<u>MEMORANDUM OPINION</u>
	:	<u>AND ORDER</u>
Respondent.	:	

This matter comes before the Court upon Petitioner's numerous filings made after the entry of this Court's decisions docketed as ECF Nos. 77 and 84. Because both decisions closed with an unambiguous directive that Petitioner should make no further filings in this matter, Petitioner's filings made after the entry of ECF No. 84 intentionally violated the Court's order. See ECF No. 84 (explaining to Petitioner that his filings made after the entry of ECF No. 77 were improper). Moreover, simultaneously with making his recent filings in this matter, Petitioner also filed his notice of appeal, see ECF Nos. 88 and 89, which severed this Court's jurisdiction over this matter. See Venen v. Sweet, 758 F.2d 117, 120 (3d Cir. 1985) ("[the litigant's act of] filing of a notice of appeal is an event of jurisdictional significance, immediately conferring jurisdiction on a Court of Appeals and divesting a district court of its control over those aspects of the case involved in the appeal"); see also Ingram v. Warden, No. 10-4151, 2011 U.S. Dist. LEXIS 7033, at *3 (D.N.J. Jan. 24, 2011) ("Simply put, [a litigant] cannot 'hedge his

bets' by hoping that either continuing proceedings before this Court or his appeal before the Court of Appeals . . . would yield a favorable result"). For these reasons,

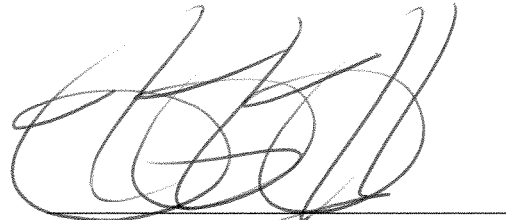
IT IS on this 21 day of July, 2014,

ORDERED that the Clerk shall strike from the docket all Petitioner's submissions (short of Petitioner's notice of appeal, ECF Nos. 88 and 89) filed after the entry of this Court's decision docketed as ECF No. 84; and it is further

ORDERED that the Clerk shall make a new and separate entry on the docket of this matter reading, "PETITIONER'S FILINGS MADE AFTER THE COURT'S DECISION ENTERED ON MAY 20, 2014, ARE DEEMED STRICKEN FROM THE DOCKET"; and it is further

ORDERED that any and all Petitioner's future filings, if such are made in this matter, shall automatically be deemed stricken from the docket, without further review and without additional notice to Petitioner; and it is finally

ORDERED that the Clerk shall serve this Memorandum Opinion an Order upon Petitioner by regular U.S. mail.

A handwritten signature in black ink, appearing to read 'W. H. Walls', written over a horizontal line.

William H. Walls
United States Senior District Judge